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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/684,023	10/10/2003	Mario J. Bravomalo	29471.4	3171
716 7590 03/09/2009 COX SMITH MATTHEWS INCORPORATED 112 EAST PECAN STREET, SUITE 1800 SAN ANTONIO, TX 78205-1521				
EXAMINER				
PATEL, JAYESH A				
ART UNIT		PAPER NUMBER		
2624				
MAIL DATE		DELIVERY MODE		
03/09/2009		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Interview Summary

Application No.

10/684,023

Applicant(s)

BRAVOMALO ET AL.

Examiner

JAYESH A. PATEL

Art Unit

2624

All participants (applicant, applicant's representative, PTO personnel):

(1) JAYESH A. PATEL.

(3) _____.

(2) Mr Courtney.B Allen(Reg # 43469).

(4) _____.

Date of Interview: 03 March 2009.

Type: a) ☒ Telephonic b) ☐ Video Conference
c) ☐ Personal (copy given to: 1) ☐ applicant 2) ☐ applicant's representative

Exhibit shown or demonstration conducted: d) ☐ Yes e) ☐ No.

If Yes, brief description: _____.

Claim(s) discussed: 51 and 73.

Identification of prior art discussed: Crampton and Posas.

Agreement with respect to the claims f) ☐ was reached. g) ☒ was not reached. h) ☐ N/A.

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: General discussion of the claims was made. Examiner's interpretation of Claims was discussed with respect to Crampton and Posas. Claim limitations like body shape designation and the argued fat (body mass index) was identified at Col 49-52 in Crampton. The above citations were also present in the action dated 10/28/2008. The agreement was not reached.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN A NON-EXTENDABLE PERIOD OF THE LONGER OF ONE MONTH OR THIRTY DAYS FROM THIS INTERVIEW DATE, OR THE MAILING DATE OF THIS INTERVIEW SUMMARY FORM, WHICHEVER IS LATER, TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.

/Jayesh A Patel/
Examiner, Art Unit 2624